

Exhibit 14

Declaration of Tim Graham
(Nov. 16, 2023)

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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT, DISTRICT OF MONTANA
BUTTE DIVISION**

THE IMPERIAL SOVEREIGN COURT
OF THE STATE OF MONTANA; ADRIA
JAWORT; RACHEL CORCORAN; THE
MONTANA BOOK COMPANY; IMAGINE
BREWING COMPANY, LLC d/b/a
IMAGINE NATION BREWING
COMPANY; BUMBLEBEE AERIAL
FITNESS; MONTANA PRIDE; THE
WESTERN MONTANA COMMUNITY
CENTER; THE GREAT FALLS LGBTQ+
CENTER; THE ROXY THEATER; and
THE MYRNA LOY,

Plaintiffs,

vs.

AUSTIN KNUDSEN; ELSIE ARNTZEN;
J.P. GALLAGHER; and the CITY OF
HELENA,

Defendants.

Cause No. CV 22-50-BU-
BMM

**Declaration of
Tim Graham**

I, Tim Graham, declare as follows:

1. I am over the age of eighteen years, am competent to testify as to the matters set forth herein, and I make this declaration based upon my personal knowledge and belief.
2. I am a resident of Missoula, Montana.
3. I own Imagine Brewing Company, LLC, which does business as Imagine Nation Brewing Company.
4. Imagine Nation employs roughly 20 people.
5. Imagine Nation is a community-oriented and community-based microbrewery and community center in Missoula, Montana. Imagine Nation brews and packages beer, non-alcoholic beer, and hard seltzer.
6. Imagine Nation is regionally known for its work with nonprofit and community organizations. In addition, Imagine Nation is a globally recognized craft brewery, and its products are available nationwide.
7. Imagine Nation is mission-focused and seeks to support people in their own transformation so they are better prepared to authentically connect with and transform the world around them.

Imagine Nation advances its mission by serving as an open, safe space for community gatherings and through workshops and other events.

8. Imagine Nation is active on social media and has approximately 15,000 followers across Facebook and Instagram. On its social media platforms, Imagine Nation shares its message of community engagement and social activism. Imagine Nation has used its social media accounts to celebrate and advertise drag events.

9. Imagine Nation is not a bar. Patrons cannot drink to excess at Imagine Nation because Imagine Nation legally may serve no more than 48 ounces to any individual patron per day.

10. Imagine Nation partners with food trucks, which sell and serve food that may be consumed on-premises at Imagine Nation.

Imagine Nation serves nonalcoholic beverages, as well as beer and hard seltzer. Imagine Nation crafts its own soda and is currently the only brewery in the state of Montana that brews its own nonalcoholic beer.

11. Imagine Nation hosts regular and special events and rents out its facility to groups for their events. Since its founding in 2015, Imagine Nation has hosted over 4,500 events in its Missoula taproom. All events at Imagine Nation are open to and appropriate for individuals of all ages. Many events are geared toward families and children. Imagine Nation has a sandbox, games, kids' toys, and crafts available for children.
12. Imagine Nation has a wall-sized lending library on its premises. A wide range of books are available at the library, including children's books and books that focus on drag and the LGBTQ+ community.
13. Imagine Nation has received state funds in the past, and it intends to apply for state funds in the future if such funds are available and appropriate for its business.
14. Imagine Nation has hosted many events that appear to be impermissible under House Bill 359, the drag ban.
15. Imagine Nation has hosted many events that include drag.
16. For example, Imagine Nation regularly hosts Queers and Beers, a monthly event put on by the Western Montana LGBTQ+

Community Center from 4 to 8 p.m. on Sundays. *Queers and Beers* often features drag performances and dancing.


17. Minors, including my family members, can be and generally are present on the premises during *Queers and Beers* and other events featuring drag. My teenage children work occasionally at *Imagine Nation* and at food trucks on the property.
18. *Imagine Nation* has hosted multiple drag story hours in the past. For example, *Imagine Nation* hosted a drag story hour on June 24, 2023, as part of its eighth anniversary party. The drag story hour was geared toward families, and it was appropriate for all ages. Performers wore flamboyant, gendered costumes, and some wore prosthetic breasts. The drag story hour did not feature any sexual content or off-color performances.
19. *Imagine Nation* has hosted many other events featuring drag performances, including the Drag Karaoke Gong Show, an annual drag event put on by the OUTLaws chapter at the Alexander Blewett III School of Law at the University of Montana.
20. As a community-centered business that seeks to empower people to positively engage with their communities, it is essential to

Imagine Nation's mission that Imagine Nation continues to serve Montana families and the Montana community, which necessarily includes LGBTQ+ families and the LGBTQ+ community. Drag performances advance Imagine Nation's mission by fostering inclusivity and celebrating all members of the community.

21. As Imagine Nation's owner, I am concerned that my employees and I could be prosecuted or penalized for noncompliance with HB 359 merely as a result of our ordinary business practices.

I declare under penalty of perjury that the foregoing is true and correct.

DATED this 16th day of November, 2023, in Missoula, Montana.



Tim Graham